

House File 2075 - Introduced

HOUSE FILE 2075

BY WILLS

A BILL FOR

- 1 An Act providing for publication of and public hearings
- 2 regarding proposed public employee collective bargaining
- 3 agreements and including applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.17, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. Before a proposed collective
4 bargaining agreement is submitted to the employee organization
5 for a ratification election, the public employer shall reduce
6 the terms of the proposed collective bargaining agreement
7 to writing and publish the proposed collective bargaining
8 agreement on the internet site of the public employer or,
9 if the public employer does not have an internet site, by
10 another method authorized by the board by rule pursuant to
11 chapter 17A. No earlier than fourteen days after the proposed
12 collective bargaining agreement is published as provided in
13 this subsection, the public employer shall hold a public
14 hearing at which the public employer shall hear comments
15 from the public regarding the proposed collective bargaining
16 agreement. The public employer shall publish the time, place,
17 and procedures for the public hearing along with the proposed
18 collective bargaining agreement. The board shall establish
19 permissible procedures for such public hearings by rule
20 pursuant to chapter 17A. Following the public hearing, the
21 public employer may accept or reject the proposed collective
22 bargaining agreement. If the public employer accepts the
23 proposed collective bargaining agreement, a ratification
24 election shall be held pursuant to subsection 4. If the public
25 employer rejects the proposed collective bargaining agreement,
26 the employee organization and the public employer shall
27 continue negotiations as provided in this section.

28 Sec. 2. Section 20.17, subsection 4, Code 2016, is amended
29 to read as follows:

30 4. The terms of a proposed collective bargaining agreement
31 accepted by the public employer after the procedures of
32 subsection 3A have been followed shall be made available to
33 the public by the public employer and reasonable notice shall
34 be given to the public employees by the employee organization
35 prior to a ratification election. The collective bargaining

1 agreement shall become effective only if ratified by a majority
2 of those voting by secret ballot.

3 Sec. 3. Section 20.22, subsections 9 and 10, Code 2016, are
4 amended to read as follows:

5 9. The arbitrator shall ~~select~~ make an initial selection
6 within fifteen days after the hearing of the most reasonable
7 offer, in the arbitrator's judgment, of the final offers on
8 each impasse item submitted by the parties.

9 10. The final selections by the arbitrator, after
10 the procedures of subsection 9A have been followed, and
11 items agreed upon by the public employer and the employee
12 organization, shall be deemed to be the collective bargaining
13 agreement between the parties.

14 Sec. 4. Section 20.22, Code 2016, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 9A. The public employer shall reduce the
17 initial selections by the arbitrator and items agreed upon by
18 the public employer and the employee organization to writing
19 as a proposed collective bargaining agreement and publish the
20 proposed collective bargaining agreement on the internet site
21 of the public employer or, if the public employer does not have
22 an internet site, by another method authorized by the board
23 by rule pursuant to chapter 17A. No earlier than fourteen
24 days after the proposed collective bargaining agreement is
25 published as provided in this subsection, the arbitrator shall
26 hold a public hearing at which the arbitrator shall hear
27 comments from the public regarding the proposed collective
28 bargaining agreement. The public employer shall publish the
29 time, place, and procedures for the public hearing along with
30 the proposed collective bargaining agreement. The board shall
31 establish permissible procedures for such public hearings by
32 rule pursuant to chapter 17A. Following the public hearing,
33 the arbitrator may accept or revise the initial selections and
34 shall issue a final selection on each impasse item submitted
35 by the parties.

1 Sec. 5. APPLICABILITY. This Act applies to collective
2 bargaining negotiations entered into and binding arbitrations
3 to which parties submit pursuant to chapter 20 on or after
4 January 1, 2017.

EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill requires a public employer participating in
9 collective bargaining negotiations under Code chapter 20, the
10 Public Employment Relations Act, to reduce the terms of a
11 proposed collective bargaining agreement to writing and publish
12 the proposed collective bargaining agreement on the internet
13 site of the public employer.

14 The bill also requires that the public employer hold a
15 public hearing at which the public employer shall hear comments
16 from the public regarding the proposed collective bargaining
17 agreement. The hearing can be held no earlier than 14 days
18 after the proposed collective bargaining agreement is published
19 as provided in the bill. The bill requires the public
20 employer to publish the time, place, and procedures for the
21 public hearing along with the proposed collective bargaining
22 agreement. The bill requires the public employment relations
23 board to establish permissible procedures for such public
24 hearings by administrative rule. The bill permits the public
25 employer to accept or reject the proposed collective bargaining
26 agreement following the public hearing. If the public employer
27 accepts the proposed collective bargaining agreement, it is
28 subject to a ratification election. If the public employer
29 rejects the agreement, the employee organization and the public
30 employer continue negotiations.

31 A ratification election for a proposed collective bargaining
32 agreement cannot be held until after the requirements of the
33 bill have been followed.

34 The bill requires similar procedures for arbitrations of
35 public employee collective bargaining.

H.F. 2075

1 The bill applies to collective bargaining negotiations
2 entered into and binding arbitrations to which parties submit
3 pursuant to Code chapter 20 on or after January 1, 2017.